

GREGORY C. LOARIE, CA Bar No. 215859
 gloarie@earthjustice.org
 A. YANA GARCIA, CA Bar No. 282959
 ygarcia@earthjustice.org
 EARTHJUSTICE
 50 California Street, Suite 500
 San Francisco, CA 94111
 Telephone: 415.217.2000
 Facsimile: 415.217.2040

Counsel for Plaintiffs

IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

CENTER FOR ENV'T'L HEALTH, <i>et al.</i>)	Case No: 3:15-cv-02939-WHO
)	
Plaintiffs,)	
)	Joint Stipulation to Extend Briefing Schedule
vs.)	and Hearing on Cross-Motions for Summary
)	Judgment
)	
)	and
GINA MCCARTHY, <i>et al.</i> ,)	
)	Order
Defendants.)	
)	
)	
)	

WHEREAS, plaintiffs filed this action on June 24, 2015, seeking review of federal defendants' amended response to plaintiffs' petition for rulemaking pursuant to Section 706(2)(A) of the Administrative Procedure Act (APA), 5 U.S.C. § 706(2)(A) and the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), 7 U.S.C. §§ 136-136y;

WHEREAS, plaintiffs' petition for rulemaking asked that federal defendants require the disclosure of certain inert ingredients on pesticide product labels;

WHEREAS, on September 30, 2015, federal defendants served plaintiffs with a the administrative record underlying their amended response to plaintiffs' petition for rulemaking;

WHEREAS, the parties agree that the merits of plaintiffs' case will be resolved via cross-motions for summary judgment;

WHEREAS, by stipulated case management order dated August 10, 2015, *see* Dkt. 23, this Court calendared a May 11, 2016 hearing on the parties' cross-motions for summary judgment and adopted the following briefing schedule:

December 14, 2015	Plaintiffs' Motion for Summary Judgment
February 19, 2016	Federal Defendants' Response and Cross-Motion for Summary Judgment
March 18, 2016	Plaintiffs' Reply and Response to Federal Defendants' Cross Motion
April 15, 2016	Federal Defendants' Reply;

WHEREAS, undersigned counsel for plaintiffs has been working diligently and in good faith to meet the December 14, 2015 deadline for filing plaintiffs' motion for summary judgment and supporting papers; however, as a result of unforeseen deadlines in other matters, staffing changes, and busy holiday schedules, counsel for plaintiffs require additional time;

WHEREAS, undersigned counsel for plaintiffs contacted counsel for federal defendants on November 10, 2015, to request that federal defendants stipulate to request that the Court extend the briefing schedule and hearing in this case;

NOW, THEREFORE, the parties hereby stipulate and respectfully request that the Court order as follows:

1. The briefing deadlines set forth in the Court's August 10, 2015 case management order should be extended by approximately 30 days as follows:

January 13, 2016	Plaintiffs' Motion for Summary Judgment
March 18, 2016	Federal Defendants' Response and Cross-Motion for Summary Judgment
April 15, 2016	Plaintiffs' Reply and Response to Federal Defendants' Cross Motion
May 13, 2016	Federal Defendants' Reply;

2. The May 11, 2016 hearing on the parties' cross motions for summary judgment should be extended by 30 days to June 10, 2016 at 2:00 p.m. in Courtroom 2, or as soon thereafter as

1 is convenient for the Court;

2 3. In all other respects, the Court's August 10, 2015 case management order should
3 remain in effect.

4 Respectfully submitted,

5 Dated: Nov. 17, 2015

/s/ Gregory C. Loarie
GREGORY C. LOARIE, CA Bar No. 215859
gloarie@earthjustice.org
A. YANA GARCIA, CA Bar No. 282959
ygarcia@earthjustice.org
EARTHJUSTICE
50 California Street, Suite 500
San Francisco, CA 94111
Tel: 415.217.2000 / Fax: 415.217.2040

10 *Counsel for Plaintiffs*

11 JOHN C. CRUDEN
12 Assistant Attorney General
Environment & Natural Resources Division

13 Dated: Nov. 17, 2015


/s/ Samara M. Spence (with permission)
SAMARA M. SPENCE
samara.spence@usdoj.gov
U.S. Department of Justice
Environment & Natural Resources Division
Environmental Defense Section
P.O. Box 7611
Washington, DC. 20044-7611
Tel. (202) 514-2285 / Fax: (202) 514-8865

18 *Counsel for Defendants*

19 **ORDER**

20 Pursuant to the foregoing stipulation of the parties, IT IS SO ORDERED. The parties shall
21 adhere to the revised briefing schedule set forth above. The May 11, 2016 hearing on the parties'
22 cross-motions for summary judgment is hereby VACATED. The parties' cross-motions for
23 summary judgment will be heard on **June 8, 2016** at 2:00 p.m. in Courtroom 2.

24
25 Dated: November 19, 2015


HONORABLE WILLIAM H. ORRICK
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I hereby certify that on November 17, 2015, a true and correct copy of the above Joint Stipulation to Extend Briefing Schedule and Hearing on Cross-Motions for Summary Judgment and [Proposed] Order was filed via the Court's electronic filing system, which will send notice of filing to all counsel of record.

I certify under penalty of perjury that the foregoing is true and correct. Executed on November 17, 2015 in San Francisco, California.

/s/ Rikki Weber
RIKKI WEBER